

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

MAR 22 2010

In Re:

Clerk of Court

DONNELLY, STACIE F.

§
§ 98-43314

Debtor

§
§ (Chapter 7)

**SECOND AMENDED APPLICATION FOR
PAYMENT OF UNCLAIMED FUNDS**

On January 12, 2010, Jessica Donnelly Lowder, Independent Executrix of the Estate of Stacie F. Donnelly Potts, Deceased ("Applicant"), filed the attached Application for Payment of Unclaimed Funds ("Original Application") with this Court. On January 21, 2010, this Court denied the Original Application without prejudice because the U.S. Attorney and U.S. Trustee did not confirm their receipt of the Original Application.

Applicant has sent a copy of this Second Amended Application for Payment of Unclaimed Funds, with the Original Application attached, to the US Attorney and US Trustee by certified mail, return receipt requested.

Applicant respectfully requests the Court order payment of unclaimed funds to Applicant as requested in the Original Application.

Respectfully submitted,

PURCELL & SAUCEDO, PLLC

By: 

Mara Purcell
Texas State Bar No. 24054266
5302 La Branch Street
Houston, Texas 77004
Telephone: 713.481.1422
Facsimile: 713.481.1423
mpurcell@purcellsaucedo.com

ATTORNEY FOR APPLICANT

Certificate of Service

I certify that on March 12, 2010 a true and correct copy of this Second Amended Application for Payment of Unclaimed Funds was served by certified mail, return receipt requested on the following:

U.S. Attorney

P.O. Box 61129

Houston, TX 77208

Via Certified Mail Return Receipt Requested # 7009 1410 0002 2920 8355

U.S. Trustee

515 Rusk Ave., Ste.3516

Houston, TX 77002

Via Certified Mail Return Receipt Requested # 7009 1410 0002 2920 8348


Elizabeth A. Payte

Former attorney for Stacie F. Donnelly

141 N. San Jacinto

Conroe, TX 77301

Via Certified Mail Return Receipt Requested # 7009 1410 0002 2920 8362


Mara Purcell

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In Re:

DONNELLY, STACIE F.

Debtor

§
§
§
§

98-43314

09-26-312-P

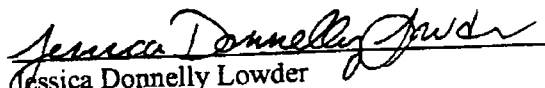
(Chapter 7)

APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

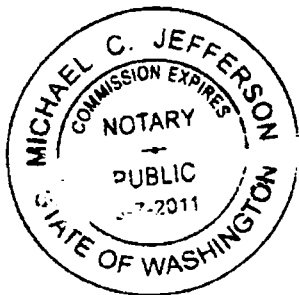
Jessica Donnelly Lowder, Independent Executrix of the Estate of Stacie F. Donnelly Potts, Deceased ("Applicant"), furnishes the following information to the Court in this application for payment of unclaimed funds:


1. Funds in the amount of \$15,057.52 were deposited as unclaimed funds on behalf of Stacie F. Donnelly a.k.a Stacie F. Donnelly Potts ("Debtor");
2. Applicant is the representative of the estate of Debtor and entitled to receive the requested funds;
3. Applicant has made sufficient inquiry and has no knowledge that any other party may be entitled to, and is not aware of any dispute regarding the funds at issued;
4. Documents substantiating Applicant's right to act on behalf of Debtor's estate are: a certified copy of Debtor's Death Certificate, attached hereto as Exhibit A, and Letters Testamentary, attached hereto as Exhibit B; and
5. Applicant understands that pursuant to 18 U.S.C. ' 152, Applicant could be fined no more than \$5,000, or imprisoned not more than five years, or both, if Applicant has knowingly and fraudulently made any false statements in this document or accompanying supporting documents. Applicant further understands that any indications of fraud detected by the Court will be turned over to the U.S. Attorney for possible prosecution.

Applicant declares under penalty of perjury under the laws of the United States of America that the foregoing statements and information are true and correct.


Jessica Donnelly Lowder
1007 130th St. SW, Apt. C104
Everett, Washington 98204

Subscribed and sworn before me this 14 day of December, 2009




Notary Public
State of Washington

Certificate of Service

I certify that on January 11, 2010 a true and correct copy of this application for payment of unclaimed funds was served by first class United States Mail on the following:

U.S. Attorney
P.O. Box 61129
Houston, TX 77208

U.S. Trustee
515 Rusk Ave., Ste. 3516
Houston, TX 77002

Elizabeth A. Payte
Former attorney for Stacie F. Donnelly
Commonwealth Centre
2040 N Loop 336 West, Suite 320
Conroe, TX 77304

By: 

Mara Purcell
PURCELL & SAUCEDO, PLLC
Texas State Bar No. 24054266
5302 La Branch Street
Houston, Texas 77004
Telephone: 713.481.1422
Facsimile: 713.481.1423

ATTORNEY FOR JESSICA DONNELLY
LOWDER, INDEPENDENT EXECUTRIX
IN CAUSE NO. 09-26,312-P; ESTATE OF
STACIE F. DONNELLY POTTS, DECEASED;
IN THE COUNTY COURT AT LAW NO. 2
OF MONTGOMERY COUNTY, TEXAS

Exhibit A

Certification of Vital Record

(Certificate of Death)